

**AMENDMENT TO H.R. 853, AS REPORTED**  
**OFFERED BY MR. GEKAS OF PENNSYLVANIA**

At the end of title VI, add the following new subtitle:

1    **Subtitle C—Automatic Continuing**  
2                                   **Resolution**

3    **SEC. 631. AUTOMATIC CONTINUING RESOLUTION.**

4           (a) AMENDMENT TO TITLE 31.—Chapter 13 of title  
5    31, United States Code, is amended by inserting after section  
6    1310 the following new section:

7    **“§ 1311. Continuing appropriations**

8           “(a)(1) If any regular appropriation bill for a fiscal  
9    year does not become law prior to the beginning of such  
10   fiscal year and a joint resolution making continuing appropriations  
11   (other than pursuant to this subsection) is not  
12   in effect, there is appropriated, out of any moneys in the  
13   Treasury not otherwise appropriated, and out of applicable  
14   corporate or other revenues, receipts, and funds, such  
15   sums as may be necessary to continue any program,  
16   project, or activity for which funds were provided in the  
17   preceding fiscal year—

18           “(A) in the corresponding regular appropriation  
19    Act for such preceding fiscal year; or

1           “(B) if the corresponding regular appropriation  
2       bill for such preceding fiscal year did not become  
3       law, then in a joint resolution making continuing ap-  
4       propriations for such preceding fiscal year.

5       “(2)(A) Except as provided by subparagraphs (B),  
6       (C), and (D), appropriations and funds made available,  
7       and authority granted, for a program, project, or activity  
8       for any fiscal year pursuant to this section shall be at a  
9       rate of operations not in excess of the rate of operations  
10      provided for in the regular appropriation Act providing for  
11      such program, project, or activity for the preceding fiscal  
12      year, or in the absence of such an Act, the rate of oper-  
13      ations provided for such program, project, or activity pur-  
14      suant to a joint resolution making continuing appropria-  
15      tions for such preceding fiscal year.

16      “(B) The applicable rate of operations for a program,  
17      project, or activity for any fiscal year pursuant to this sec-  
18      tion shall exclude amounts—

19           “(i) for which any adjustment was made under  
20      section 251(b)(2)(A) or section 252(e) of the Bal-  
21      anced Budget and Emergency Deficit Control Act of  
22      1985 before the date of enactment of this section;

23           “(ii) provided for emergencies for which an ex-  
24      emption from section 251 or 252 of such Act is

1 granted under section 317(c) of the Congressional  
2 Budget Act of 1974; or

3 “(iii) for which any adjustment is made under  
4 section 251(b)(2) (C) or (D) of such Act.

5 “(C) The applicable rate of operations for a program,  
6 project, or activity for any fiscal year pursuant to this sec-  
7 tion shall include amounts provided and rescinded for such  
8 program, project, or activity in any supplemental or spe-  
9 cial appropriations Act and in any rescission bill for that  
10 year that is enacted into law.

11 “(D) The applicable rate of operations for a program,  
12 project, or activity for any fiscal year pursuant to this sec-  
13 tion shall be reduced by the amount of budgetary re-  
14 sources cancelled in any such program, project, or activity  
15 resulting from the prior year’s sequestration under section  
16 251 of the Balanced Budget and Emergency Deficit Con-  
17 trol Act of 1985 as published in OMB’s final sequestration  
18 report for the prior fiscal year.

19 “(3) Appropriations and funds made available, and  
20 authority granted, for any fiscal year pursuant to this sec-  
21 tion for a program, project, or activity shall be available  
22 for the period beginning with the first day of a lapse in  
23 appropriations and ending with the earlier of—

24 “(A) the date on which the applicable regular  
25 appropriation bill for such fiscal year becomes law

1 (whether or not such law provides for such program,  
2 project, or activity) or a continuing resolution mak-  
3 ing appropriations becomes law, as the case may be,  
4 or

5 “(B) the last day of such fiscal year.

6 “(b) An appropriation or funds made available, or au-  
7 thority granted, for a program, project, or activity for any  
8 fiscal year pursuant to this section shall be subject to the  
9 terms and conditions imposed with respect to the appro-  
10 priation made or funds made available for the preceding  
11 fiscal year, or authority granted for such program, project,  
12 or activity under current law.

13 “(c) Appropriations and funds made available, and  
14 authority granted, for any program, project, or activity for  
15 any fiscal year pursuant to this section shall cover all obli-  
16 gations or expenditures incurred for such program,  
17 project, or activity during the portion of such fiscal year  
18 for which this section applies to such program, project,  
19 or activity.

20 “(d) Expenditures made for a program, project, or  
21 activity for any fiscal year pursuant to this section shall  
22 be charged to the applicable appropriation, fund, or au-  
23 thorization whenever a regular appropriation bill or a joint  
24 resolution making continuing appropriations until the end

1 of a fiscal year providing for such program, project, or  
2 activity for such period becomes law.

3 “(e) This section shall not apply to a program,  
4 project, or activity during a fiscal year if any other provi-  
5 sion of law (other than an authorization of appropria-  
6 tions)—

7 “(1) makes an appropriation, makes funds  
8 available, or grants authority for such program,  
9 project, or activity to continue for such period, or

10 “(2) specifically provides that no appropriation  
11 shall be made, no funds shall be made available, or  
12 no authority shall be granted for such program,  
13 project, or activity to continue for such period; or

14 “(f) For purposes of this section, the term ‘regular  
15 appropriation bill’ means any annual appropriation bill  
16 making appropriations, otherwise making funds available,  
17 or granting authority, for any of the following categories  
18 of programs, projects, and activities:

19 “(1) Agriculture, rural development, and re-  
20 lated agencies programs.

21 “(2) The Departments of Commerce, Justice,  
22 and State, the judiciary, and related agencies.

23 “(3) The Department of Defense.

1           “(4) The government of the District of Colum-  
2           bia and other activities chargeable in whole or in  
3           part against the revenues of the District.

4           “(5) The Departments of Labor, Health and  
5           Human Services, and Education, and related agen-  
6           cies.

7           “(6) The Department of Housing and Urban  
8           Development, and sundry independent agencies,  
9           boards, commissions, corporations, and offices.

10          “(7) Energy and water development.

11          “(8) Foreign assistance and related programs.

12          “(9) The Department of the Interior and re-  
13          lated agencies.

14          “(10) Military construction.

15          “(11) The Department of Transportation and  
16          related agencies.

17          “(12) The Treasury Department, the U.S.  
18          Postal Service, the Executive Office of the President,  
19          and certain independent agencies.

20          “(13) The legislative branch.”.

21          (b) CONFORMING AMENDMENT.—Section 202(e)(3)  
22          of the Congressional Budget Act of 1974 is amended by  
23          inserting “and on or before September 30” before “of each  
24          year”.

1       (c) CHAPTER ANALYSIS.—The analysis of chapter 13  
2 of title 31, United States Code, is amended by inserting  
3 after the item relating to section 1310 the following new  
4 item:

“1311. Continuing appropriations.”.

5       (d) EFFECT OF AMENDMENTS.—Nothing in the  
6 amendments made by this section shall be construed to  
7 affect Government obligations mandated by other law, in-  
8 cluding obligations with respect to social security, medi-  
9 care, and medicaid.